

Out of Window Waiver Request

Regarding CC Docket # 02-6

Lexington Public Library

Entity Number: 138788

Funding Year: 2017-2018

APPLICANT INFORMATION

Applicant 471 Main Contact Name:

Kathleen Thomsen

Applicant Name:

Lexington Public Library

BEN:

138788

**This is a request for a Waiver/Appeal of the USAC designation
Lexington Public Library**

Waiver/Appeal Request Detail:

471 Out of Window Certification – Funding Year 2017-2018

Date Certified: 5/22/2017

Form 471 Application #: 171049028

Funding Request Number: 1799111946

TOTAL Dollar Amount for FRN reimbursement: \$1,620.00

FCDL Date – N/A

Service Provider Name: Nebraska Link LLC

Service Provider Identification Number: 143035006

USAC Designation / reason for appeal:

‘Certified – Out of Window’

Rationale for this Request:

On April 4, 2017, I filed the Form 470 for Telecommunications and the Form 470 for Internet and Data Services. I was notified on April 18 that USAC had only received the Form 470 for Telecommunications Services. I called USAC and inquired about the missing 470 form. Neither the USAC staff nor I was able to determine a reason for the Form 470 for Internet Services not being received by USAC. The Form 470 for Internet and Data Services had to be resubmitted. They suggested that I resubmit the Form 470 for Internet and Data Services immediately on 4/19/2017, but that made the date for the certification of the 471 out of window. The Form 471 was both filed and certified within 14 days of the extended certification window.

Circumstances to Consider –

- **Form 471 171049028 was submitted and certified on May 22, 2017**
- **Past FCCE E-rate ruling approving waivers of this nature (14 day ruling)**
- **The Library submitted 470 Forms for Telecommunications and Internet and Data Transmission on April 4, 2017. The Form 470 for Internet and Data Transmission was not received.**

Past FCC Ruling

FCC

DA 12-1469

September 14, 2012

The Order and Order on Reconsideration reviewed 39 requests from petitioners seeking review of decisions made by USAC under the E-rate program. These petitioners were seeking waivers on the Form 471 filing window deadline.

The requests were granted for those schools within 14 days after the filing window deadline.

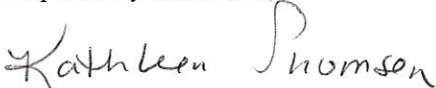
Justification was cited on past FCC Rules specifically File Nos. SLD-487009, et al., CC Docket 02-6, Order 25 FCC Rcd 9256 (2010) Academy of Math and Science Order) Finding Special circumstances exist to justify granting waiver requests where, for example, petitioners filed their FCC Forms 471 within 14 days after the FCC For 471 filing window deadline or filed their Form 471 on time, but failed to timely file their certifications); Also, the following order of docket #s: CC Docket NO. 02-6, Order 26 FCC red 354.

The Lexington Public Library respectfully petitions the Commission to request a waiver of Funding Year 2017 FCC Form 471 filing deadline on behalf of the Lexington Public Library to allow the Out of Window submission of their E-rate Funding Year 2017 FCC Form 471 171049028, due to the non-receipt of the original Form 470.

Your favorable consideration in this matter is greatly appreciated.

Please feel free to contact me at any time should you have questions.

Respectfully submitted,



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05/23/2017